

Chapter 308-96B WAC

INDIVIDUALS WITH DISABILITIES VEHICLE LICENSE PRIVILEGES

NEW SECTION

WAC 308-96B-010 Definitions--Individual with disabilities special parking privileges. For the purposes of determining eligibility under RCW 46.16.381, for special individual with disabilities parking placards and license plates, the following definitions apply:

(1) "Application for individual" means the form provided by the department that must be completed by the individual and physician.

(2) "Application for organization" means the form provided by the department that must be completed by the organization.

(3) "Identification card" means the identification card bearing the name and date of birth of the person to whom the placard/plate/tab is issued.

(4) "Licensed physician" is a health care provider to include: Chiropractor (DC), naturopath (ND), physician or surgeon (MD or DO), podiatrist (DPM), advanced registered nurse practitioner (ARNP). Licensed physician does not include persons licensed in the professions of dentistry and optometry.

(5) "Permanent" means a licensed physician has certified the qualifying disability condition is expected to last at least five years.

(6) "Permit" means the eligibility for the temporary or permanent placard or special license plate(s), individual with disability license tab, and identification card.

(7) "Private carriers" means those entities contracting with public transportation authorities to transport persons with disabilities.

(8) "Privilege" means the right to utilize the benefits associated with the individuals with disabilities, parking placards, identification card, license plate(s) and tabs.

(9) "Public transportation authorities" means those entities operating motor vehicles owned or leased by Washington state, or a town, city, county, municipality, or metropolitan or municipal corporation within the state, or United States government agencies or Indian nations used for the primary purpose of transporting persons with disabilities.

(10) "Signature" means any memorandum, mark, stamp, or sign made with intent to authenticate an application for a placard/plate, or the subscription of any person.

NEW SECTION

WAC 308-96B-020 General provisions. (1) **How do I qualify for an individual with disabilities parking privilege?** To qualify for a temporary or permanent individual with disabilities parking privilege, a licensed physician or advanced registered nurse practitioner (ARNP) must certify, on a department approved application form, that you have a disability that limits or impairs your ability to walk and that you meet the requirements listed in RCW 46.16.381(1). The physician or ARNP must sign a declaration under penalty of perjury that you have a disability that limits or impairs the ability to walk and that you meet one of the following criteria:

- (a) Cannot walk two hundred feet without stopping to rest;
- (b) Are severely limited in ability to walk due to arthritic, neurological, or orthopedic condition;
- (c) Have such a severe disability that you cannot walk without the use of or assistance from a brace, cane, another person, prosthetic device, wheelchair, or other assistive device;
- (d) Use portable oxygen;
- (e) Are restricted by lung disease to such an extent that forced expiratory respiratory volume, when measured by spirometry, is less than one liter per second or the arterial oxygen tension is less than sixty mm/hg on room air at rest;
- (f) Are impaired by cardiovascular disease or cardiac condition to the extent that your functional limitations are classified as class III or IV under standards accepted by the American Heart Association;
- (g) Have a disability resulting from an acute sensitivity to automobile emissions which limits or impairs your ability to walk. Your personal physician or ARNP must document that your disability is comparable in severity to the others listed in this subsection; or
- (h) Is legally blind and has limited mobility.

The medical declaration is required on all original applications for permanent and temporary disability privileges and for permanent disability privileges that have been expired more than thirty days. A declaration is not required for renewal of existing Washington privileges for an individual with disabilities.

(2) **How do I apply for an individual with disabilities parking privilege?** You must complete and sign your portion of the application. Once the licensed physician or ARNP portion of the application is completed, you submit it to most vehicle licensing offices or the department as noted on the application.

(3) **Who may sign the application for an individual with disabilities who is unable to sign or is a minor?** An authorized representative of the individual with disabilities may sign the application. The application must be accompanied by a copy of one of the following:

- (a) A power of attorney;
- (b) A Washington state court order or certification from the clerk of court confirming the court's action; or
- (c) A declaration under penalty of perjury explaining why the applicant is unable to sign and explaining the signing person's association with the applicant. Example: Signature, Jane Doe, daughter.

(4) **When is the individual with disabilities parking privilege no longer valid?**

- (a) The plates expire;

(b) The privilege expires;
(c) Upon death of the individual with disabilities;
(d) If the disability no longer exists;
(e) The special license plates have been canceled by department administrative action;

(f) If the privilege was issued in error; or
(g) If the individual with disability is no longer shown on the department's record as being a registered owner of the vehicle.

(5) What do I receive when my application is approved for an individual with disabilities parking privilege? An individual with disabilities identification card and:

(a) If you have a temporary disability, you will receive one temporary placard;

(b) If you have a permanent disability, you receive up to two privileges. You may choose to receive:

(i) Up to two permanent placards; or
(ii) One permanent placard and one set of individual with disabilities license plates or individual with disabilities year tab. The year tab may only be displayed on qualifying plates. The individual with disabilities must be a registered owner of the vehicle to receive these plates or tab.

(6) When can the individual with disabilities parking privileges be used? When transporting the person to whom the plate or placard is issued.

(7) Why is the individual with disabilities identification card issued? The identification card is issued to identify the individual with disabilities and to ensure that only those who qualify use the parking privilege. The identification card must be available for law enforcement or parking enforcement officials.

If you have just applied for and not yet received an individual with disabilities identification card, show the receipt you received at the time of application.

(8) How do I display the individual with disabilities parking placard?

(a) The placard is hung from the rearview mirror post; or
(b) The placard may be placed on the dashboard, (in the absence of the rearview mirror post).

The entire placard must be visible through the vehicle windshield.

(9) How long is the individuals with disabilities parking privilege valid?

(a) Temporary privileges are valid for up to six months from the date of issuance by the department.

(b) Permanent privileges are issued for five years and expire on the last day of the month of issuance. The expiration date can be located on the identification card or as marked on the placard. For example: If your expiration date is May 2008, your privilege will expire on May 31, 2008.

Note: License plates carry the expiration date of your vehicle registration and must be renewed annually.

(10) How do I renew or extend my individual with disabilities parking privilege?

(a) You cannot renew a temporary privilege. If your condition continues beyond the expiration date, you can obtain a new temporary individual with disabilities parking placard and identification card by submitting a new application completed and certified by a licensed physician or ARNP.

(b) You can renew a permanent privilege. The department will mail you a renewal notice before your privilege expires. Submit the completed renewal notice or a new application to most vehicle licensing offices to renew. You will receive your new parking placard(s) and new identification card through the mail.

(c) If permanent privilege has been expired more than thirty days you must submit a new application completed and certified by a licensed physician or ARNP.

(11) **What if the individual with disabilities parking placard or identification card is lost, mutilated, destroyed, or stolen?** To replace your individual with disabilities parking placard or identification card, complete and sign a statement explaining what happened to the placard or identification card. A new individual with disabilities parking placard or identification card will be issued, indicating the original expiration date. The placard or identification card being replaced are no longer valid and should be destroyed if located.

(12) **What should I do with my placard and identification card when they are no longer valid?** When your placard and identification card are no longer valid, they should be destroyed.

Note: If the vehicle has been reported stolen or if the department record indicates the vehicle has been stolen, the same number/letter combination will not be used. This is a law enforcement issue and is for the protection of the public.

NEW SECTION

WAC 308-96B-030 Permanent placard and individual with disabilities special license plates for organizations. (1) **When can a qualifying organization use disabled person license plates or parking placards?** Qualifying organizations may only use disabled parking license plates or parking placards when transporting any person who meets the criteria under RCW 46.16.381(1).

(2) **How does an organization qualify for individual with disabled parking license plates and permanent parking placards?** The organization must:

(a) Service participants/clients who meet the criteria in RCW 46.16.381(3); and

(b) Report the status of each permanent individual with disabilities parking placard or disabled parking license plate to the department by April 30th each year.

(3) **How does a qualifying organization apply for disabled parking license plates and placards?** The organization must submit a completed individual with disabilities parking privileges organization application with appropriate documentation as indicated on the application.

(4) **When can a qualifying organization use disabled parking license plates or placards?** Qualifying organizations can only use disabled parking license plates or placards when transporting persons who meet the criteria for an individual with disabilities.

(5) **What can a qualifying organization receive when approved for parking privileges?**

(a) Disabled parking license plates can be issued for vehicles registered to the organization, which regularly transport persons who have qualified or would qualify for this parking privilege; or

(b) Parking placard(s) can be used only when the vehicle in which they are displayed is transporting persons who have or would qualify for the disabled parking privilege.

An organization may receive up to ninety-nine placards, or disabled parking license plates can be issued to vehicles licensed in the name of the organization if used primarily for transporting persons who have or would qualify for the parking privileges. The department may approve exceptions.

(6) **Where does a qualifying organization obtain individual with disabilities parking placard(s) or disabled parking license plates?** A qualifying organization can obtain disabled parking placard(s) and disabled parking license plates at most Washington vehicle licensing offices.

(7) **Is a qualifying organization issued an identification card?** No.

(8) **When do the disabled parking license plates or placard(s) for organizations expire?** The parking placard(s) expires five years from the date of issuance, on the last day of the month specified on the placard. Example: If the placard is marked to expire in May 2008, it expires May 31, 2008.

Note: License plates also carry the expiration of your vehicle registration and must be renewed annually.

(9) **When are the disabled parking license plates and/or placard(s) no longer valid?** The individual with disabled parking license plates are no longer valid when:

(a) The plates/placard(s) expire;

(b) The privilege expires;

(c) The vehicle is no longer being used for the purpose of transporting individuals with disabilities;

(d) The disabled parking license plates/placard(s) have been canceled by department administrative action;

(e) The organization no longer qualifies;

(f) The organization's business license is canceled or expires;

(g) If the privilege was issued in error; or

(h) If the organization fails to return the annual report by April 30th.

(10) **How does an organization replace placards or disabled parking license plates if they become lost, mutilated, destroyed, or stolen?** The organization must complete and sign a statement explaining what happened to the placards or plates and pay replacement fees. Replacement permanent parking placards or disabled parking license plates will be issued indicating the original expiration date. This voids the previously issued permanent placards or plates.

Note: If the license plate has been reported as stolen or if the department record indicates the vehicle has been stolen, the same number/letter combination will not be issued. This is a law enforcement issue and is for the protection of the public.

(11) **How does an organization renew its permanent disabled parking placard(s)?** The department will send a renewal notice to the organization before the privilege expires. The organization must submit the completed and signed renewal notice or a new application. Upon approval of the completed and signed renewal notice or application, the department will issue new placards.

(12) **Does an organization qualify for disabled parking license plate tabs?** No.